

**Re: Wallace Yard CD - FROWW language** 📎

**Clifford Villa** to: Lawrence, Robert

06/08/2009 06:00 PM

craig.trueblood, "Lietz, Denise", "Wurtzler, Gail", GLHONEYM, RCBYLSMA,  
Cc: "Lawrence, Robert", "Handy, Sara", Darrell.Early, SHimmelh, Ed Moreen,  
Nicholas.Zilka

Bob: The language you proposed below does seem consistent to me with the language you promised to provide in Coeur d'Alene. Even so, the governments are not convinced that this definition is appropriate or acceptable, as it differs significantly from the FROWW definition in the Trails CD.

As we consider our response, I have one related question: is there a reason your language specifies Gem, Black Bear, Burke, and Yellow Dog, but not Woodland Park, Cornwall, or Mace in Canyon Creek, and not Bunn in Nine-Mile? See EE/CA Fig. 1-2. Does this reflect a determination of presence/absence of residents in these areas?

Thanks.

Cliff Villa  
Assistant Regional Counsel  
U.S. EPA Region 10

"Lawrence, Robert"

Confidential Settlement Communication Submit...

06/05/2009 05:09:04 PM



"Lawrence, Robert"  
<Robert.Lawrence@dgslaw.com>

06/05/2009 05:08 PM

To Clifford Villa/R10/USEPA/US@EPA

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Subject Wallace Yard CD - FROWW language

Confidential Settlement Communication  
Submitted under FRE 408

Cliff,

The language that you proposed for the FROWW is inconsistent with our understanding of how we would define the FROWW from our negotiations in Couer d'Alene on May 28-29. We believed the attached language reflects our discussions and provides a practical way implementing the concept. We are reviewing the remainder of the CD. Thanks.

Bob

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